

**MINUTES
EAGAR TOWN COUNCIL
SPECIAL MEETING
22 W. 2nd St., Eagar, AZ
January 20, 2015 - 7:00 P.M.**

Mayor Bryce Hamblin called the Regular Council Meeting to order and welcomed those present. Mayor Hamblin said to let the record show that all Councilmembers are present with the exception of Winslow McNeill (who did arrive a short time later.) Mayor Hamblin led the Pledge of Allegiance and John Phelps offered the invocation.

COUNCIL PRESENT: Bryce Hamblin, Mayor
James Nelson, Jr., Vice Mayor
Steve Erhart
John O. Phelps
Allen Browning
Debra Seeley
Winslow McNeill

STAFF PRESENT: Tami Ryall, Town Manager
Bruce Ray, Community Development/Public Works Director
Eva Wilson, Town Clerk
Frank Adams, Fire Chief
Katie Brady, Finance Manager
Doug Brown, Town Attorney

ITEM #5: UNFINISHED BUSINESS

None.

ITEM #6: CONSENT AGENDA

A. APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETING HELD JANUARY 6, 2015

Councilor Steve Erhart moved to approve the minutes. Vice-Mayor James Nelson, Jr. seconded; all were in favor, motion carried unanimously. 6-0

ITEM #7: NEW BUSINESS

A. DISCUSSION AND CONSIDERATION OF RESOLUTION 2015-02 AMENDING THE TOWN OF EAGAR PERSONNEL POLICY RULE 8 – ATTENDANCE AND LEAVES AND ADDING SECTIONS 8.12 – BEREAVEMENT LEAVE AND 8.20 – FAMILY AND MEDICAL LEAVE ACT POLICIES

Town Manager Tami Ryall stated that the next two agenda items are intended to better bring the Personnel Policy into compliance with State and Federal regulations.

The proposed language for Section 8.20 will assist in the Town's administration of the Family and Medical Leave Act (FMLA) with specific amendments to the maternity and military covered event language needed.

The language proposed in this resolution that is not tied to FMLA is the addition of Bereavement Leave. The proposed amendment differentiates Bereavement Leave from Sick Leave as the current policy specifies that when a close relation becomes deceased an employee must take Sick Leave to attend funeral services or attend to legalities. With the addition of the new Bereavement Leave category, the employee will be granted three (3) days of Bereavement Leave to attend funeral services or attend to legalities and any time needed beyond the three days will require the employee to request some other form of leave.

Mayor Bryce Hamblin said to let the record show that Councilor Winslow McNeill has arrived at the Council meeting.

Vice-Mayor James Nelson, Jr. moved to approve Resolution 2015-02 amending the Town of Eagar's Personnel Policy Rule 8 – Attendance and Leaves and adding Sections 8.12 – Bereavement Leave, and 8.20 – Family and Medical Leave Act policies. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

**B. DISCUSSION AND CONSIDERATION OF RESOLUTION 2015-03 AMENDING
THE TOWN OF EAGAR PERSONNEL POLICY RULE 2 – GENERAL
PROVISIONS SECTIONS 2.1, 2.1.B AND 2.1.E REVISING ANTI-
DISCRIMINATION RULES**

Ms. Ryall added that this resolution will also bring the Personnel Policy into compliance with State or Federal regulations by adding additional anti-discrimination language. Ms. Ryall stated that the Town does not have an Affirmative Action Program but does have an anti-discrimination program.

Mayor Bryce Hamblin asked that Affirmative Action language be removed and replaced with anti-discrimination policy language. He also suggested that Section 2.1.A could have the full anti-discrimination categories listed and Council Steve Erhart stated if they are listed in 2.1.A then Section 2.1.E could be eliminated.

Vice-Mayor James Nelson, Jr. moved to approve Resolution 2015-03 amending the Town of Eagar Personnel Policy Rule 2 – General Provisions Sections 2.1, 2.1.B and 2.1.E revising anti-discrimination rules with the noted changes. Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 7-0

**C. DISCUSSION AND CONSIDERATION TO REAPPOINT AARON LESUEUR TO
THE PLANNING AND ZONING COMMISSION FOR A THREE-YEAR TERM TO
EXPIRE JANUARY 2018**

Public Works/Community Development Director Bruce Ray stated that Aaron LeSueur has served on the Planning and Zoning Commission and has volunteered to be reappointed to the Commission for an additional three years.

Vice-Mayor James Nelson, Jr. moved to reappoint Aaron LeSueur to the Planning and Zoning Commission for a three-year term to expire January 2018. Councilor Allen Browning seconded; all were in favor, motion carried unanimously. 7-0

D. DISCUSSION AND CONSIDERATION TO APPOINT DEANNA DAVIS TO THE PLANNING AND ZONING COMMISSION FOR A THREE-YEAR TERM TO EXPIRE JANUARY 2018

Mr. Ray stated that Deanna Davis showed interest in the vacant Planning and Zoning Commission and has submitted an application stating that interest.

Vice-Mayor James Nelson, Jr. moved to appoint Deanna Davis to the Planning and Zoning Commission for a three-year term to expire January 2018. Councilor Allen Browning seconded; all were in favor, motion carried unanimously. 7-0

ITEM #8: EXECUTIVE SESSION

- A. EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A4 DISCUSSION OR CONSULTATION WITH THE ATTORNEY OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS ATTORNEY REGARDING THE PUBLIC BODY'S POSITION REGARDING CONTRACTS THAT ARE SUBJECT OF NEGOTIATIONS, IN PENDING OR CONTEMPLATED LITIGATION OR IN SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – DISPOSITION OF PROPERTY AT 578 N. MAIN STREET
- B. EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A4 DISCUSSION OR CONSULTATION WITH THE ATTORNEY OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS ATTORNEY REGARDING THE PUBLIC BODY'S POSITION REGARDING CONTRACTS THAT ARE SUBJECT OF NEGOTIATIONS, IN PENDING OR CONTEMPLATED LITIGATION OR IN SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – CONCORD BLUE, LLC PROPERTY LEASE

Vice-Mayor James Nelson, Jr. moved to move into Executive Session [at 7:13 p.m.] Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

RECONVENE INTO SPECIAL SESSION

Vice-Mayor James Nelson, Jr moved to reconvene into Special Session [at 8:00 p.m.] Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

**C. DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY
FROM EXECUTIVE SESSION ITEM #8.A**

No action taken.

**D. DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY
FROM EXECUTIVE SESSION ITEM #8.B**

No action taken.

ITEM #9: FUTURE AGENDAS

No discussion or action took place.

ITEM #10: SIGNING OF DOCUMENTS

Necessary signatures were obtained for the Minutes of January 6, 2015; and Resolutions 2015-02 and 2015-03.

ITEM #11: ADJOURNMENT

Councilor Allen Browning moved to adjourn the meeting [at 8:00 p.m.] Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 7-0

Attest: _____

Mayor: _____

Vice-Mayor: _____

Council: _____

CERTIFICATION OF COUNCIL MINUTES

I hereby certify that the foregoing minutes is a true and correct copy of the minutes of the Special Council Meeting of the Town of Eagar, Arizona held on January 20, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Eva Wilson, Town Clerk